GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services Prohibition & Excise Department - Allegation of Criminal Misconduct and Criminal Conspiracy against Sri P.Prabhakar Rao, P&E Head Constable (Retd.) for his involvement in Liquor Syndicate Case - Delinquent officer placed on his defence before the Tribunal for Disciplinary proceedings - Orders of Hon'ble High Court dated 01.10.2019 in W.P.No.15416 of 2019 and Orders dated 28.12.2021 in W.P.No.15897 of 2021 - Implemented - Orders - Issued.

REVENUE (VIGILANCE.II) DEPARTMENT

G.O.Rt.No.198

Dated:24.03.2022
Read the following:

1. From the DG, ACB Lr. No.23/RCO-NNL/2012, dated:12.10.2012.
2. Govt., Memo.46420/Vig.V(2)/2012-1, Revenue (Vig.V)Dept., dated 16.01.2013.
3. Orders of Hon'ble High Court dated 01.10.2019 in W.P.No.15416 of 2019 filed by Sri P.Prabhakar Rao, P&E Head Constable (Retd.).
4. Orders of Hon'ble High Court dated:28.12.2021 in W.P.No.15897 of 2021 filed by Sri P.Prabhakar Rao, P&E Head Constable (Retd.).

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ORDER:

Whereas, it was brought to the notice of the Government that Sri P.Prabhakar Rao, P&E Head Constable (Retd.), while he was in service involved in a disciplinary case pertaining to liquor syndicate cases of Nellore District, along with other Prohibition & Excise officials. After conducting detailed enquiry, the Director General, Anti Corruption Bureau in his final report Dt.12.10.2012 recommended to place Sri P.Prabhakar Rao, P&E Head Constable (Retd.) on his defence before Tribunal for Disciplinary Proceedings (TDP), along with other Prohibition & Excise officials.

2. After careful examination of the recommendations of the Director General, ACB, Government have entrusted among others the case of Sri P.Prabhakar Rao, P&E Head Constable (Retd.) to the Tribunal for Disciplinary Proceedings (TDP), vide Memo 2nd read above. Charge Memo was issued by the Tribunal for Disciplinary Proceedings vide TEC No.600 of 2013, dated 17.01.2018. Enquiry Report from the Tribunal for Disciplinary Proceedings is awaited.

3. Sri P.Prabhakar Rao, P&E Head Constable (Retd.) has filed Writ Petition No.15416 of 2019 before the Hon'ble High Court with a prayer to set aside the above said charge memo and requested for pensionery benefits. The Hon'ble High Court in its orders dated:01.10.2019 in W.P. No.15416 of 2019 is pleased to pass the following order (operational part):

> *"the respondents are directed to conclude the enquiry pending against the petitioner, within a period of three months from the date of receipt of a copy of this order, failing which the charge memo issued against the petitioner vide Tribunal Enquiry Case No.600 of 2013, dated 17.1.2018 shall stand quashed".*
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> *The writ petition, with the above directions, is disposed of. As a sequel, miscellaneous petitions pending consideration if any, in the writ petition shall stand closed."*

4. Sri P.Prabhakar Rao, P&E Head Constable (Retd.) has filed another W.P.No.15897 of 2021 for release of the pensionary benefits. The Hon'ble High Court in its orders dated:28.12.2021 in W.P. No.15897 of 2021 is pleased to pass the following order (operational part):

(P.T.O)

"Accordingly, the Writ Petition is allowed, for the reasons alike in W.P.No.870/2021 dated:29.01.2021. The respondents are directed to release all the pensionary benefits i.e., Full Pension, Retirement Gratuity, Encashment of Earned Leave and other benefits payable to the Petitioner together with interest @12% from the date they became due by operation of the orders in W.P.No.15416 of 2019, till the date of payment".

5. Government, after careful examination of the matter and in compliance and due respect to the orders dated:01.10.2019 passed in W.P.No.15416 of 2019 and orders dated:28.12.2021 of the Hon'ble High Court of A.P passed in W.P.No.15897 of 2021, hereby release all the retirement benefits such as Full Pension, Retirement Gratuity, Encashment of Earned Leave and other benefits payable to Sri P.Prabhakar Rao, P&E Head Constable (Retd.) together with interest @12% from the date they became due by operation of the orders in W.P.No.15416 of 2019, till the date of payment, subject to outcome of the Writ Appeals to be filed before the Hon'ble High Court of Andhra Pradesh against the orders in the Writ Petitions.

6. The Commissioner of Prohibition and Excise, A.P., Vijayawada shall take necessary further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri P.Prabhakar Rao, P&E Head Constable (Retd.) (through the Commissioner, Proh. & Excise, A.P., Vijayawada)
The Commissioner, Prohibition & Excise, Andhra Pradesh, Vijayawada.
Copy to:
The Secretary, Tribunal for Disciplinary Proceedings, A.P., Hyderabad.
The Director General, ACB, A.P., Vijayawada.
The Secretary to VC, APVC, A.P.Secretariat, Velagapudi.
The Principal Accountant General (A&E), Vijayawada.
The Director of Treasuries and Accounts, A.P. Vijayawada.
The G.P. for Services-I, High Court of A.P., Amaravati.
Sf/Sc

//FORWARDED:: BY ORDER//

SECTION OFFICER